

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

KTRV LLC, *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 25-10601 (MFW)  
(Jointly Administered)

**Re: Docket No. 177**

**MOTION OF ANGELA SVONAVEC, JASON SVONAVEC, AND HERITAGE  
HOLDING CO., LLC FOR EXPEDITED CONSIDERATION AND TO SHORTEN  
NOTICE ON MOTION OF ANGELA SVONAVEC, JASON SVONAVEC, AND  
HERITAGE HOLDING CO., LLC TO COMPEL FULL ACCESS TO DATA ROOM  
AND DEBTOR INFORMATION IN CONNECTION WITH SALE**

Angela Svonavec (“Mrs. Svonavec”), Jason Svonavec (“Mr. Svonavec,” and together with Mrs. Svonavec, the “Svonavecs”), and Heritage Holding Co., LLC (“HHC,” and collectively with the Svonavecs, the “HHC Parties”), by their undersigned attorneys, having filed the *Motion of Angela Svonavec, Jason Svonavec, and Heritage Holding Co., LLC to Compel Full Access to Data Room and Debtor Information in Connection with Sale* (the “Motion”) [D.I. 177], respectfully submit this motion (the “Motion to Shorten”),<sup>2</sup> pursuant to section 105 of the Bankruptcy Code, Bankruptcy Rule 9006, and Rule 9006-1(e) of the Local Rules for the United States Bankruptcy Court for the District of Delaware (the “Local Rules”), for the entry of an order shortening the time for notice and consideration of the Motion, so that the Motion may be heard on May 5, 2025 at 11:30 a.m. contemporaneously with the hearing (the “Bid Procedures Hearing”) on the *Debtors’ Motion for Entry of an Order (I) Approving the Bidding Procedures, (II) Authorizing the Debtors to Enter Into One or More Stalking Horse Agreements and Provide Bid Protections, (III) Approving the Form and Manner of Sale Notice, (IV) Scheduling an*

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<sup>1</sup> The Debtors in these chapter 11 cases, along with each the last four digits of each Debtor’s tax identification number, are as follows: KTRV LLC (9993), Heritage Coal & Natural Resources, LLC (8326). The Debtors’ service address is 1521 Concord Pike, Suite 201, Wilmington, DE 19803.

<sup>2</sup> Capitalized terms not defined in this Motion to Shorten have the meaning ascribed to them in the Motion.

*Auction and Sale Hearing, (V) Approving the Procedures for the Assumption and Assignment of Contracts, (VI) Approving the Sale of the Debtors' Assets Free and Clear, and (VII) Granting Related Relief* (the "Bid Procedures Motion"). In support of the Motion to Shorten, the HHC Parties respectfully state as follows:

1. As more fully set forth in the Motion filed simultaneously herewith, the Debtors have refused to provide the HHC Parties with access to the data room absent punitive and arbitrary restrictions meant to prevent the HHC Parties from bidding on the Debtors' assets. These restrictions include only allowing professionals to have access to the data (which will make it impossible for the HHC Parties to make a decision whether to bid and, if so, what to offer), requiring the HHC Parties agree to a \$500,000 per violation liquidated damages clause, and requiring the HHC Parties to escrow \$500,000 with Ballard Spahr LLP.

2. The Debtors in this case have chosen to pursue an expedited 45 day sale process, and if the Motion were heard on ordinary notice, it would not be heard until approximately 2 weeks after the Bid Procedures Hearing. By that point, the Debtors refusal to permit the HHC Parties access to the data room would have continued for nearly a month and have achieved their goal of denying the HHC Parties the ability to access diligence in formulating their bid.

3. Through the Motion, the HHC Parties request an order by this Court compelling access to the data room. The issues raised in the Motion are directly relevant to, and overlap with, the issues raised by the Bid Procedures Motion and the HHC Parties' objection thereto. Thus, the additional burden of an expedited response and hearing on the Debtors, this Court, and other parties in interest will be minimal.

4. Accordingly, the HHC Parties request that the Motion be heard at or prior to the Bid Procedures Hearing and proposes that the objection deadline for the Motion be set as May 2,

2025 at 4:00 p.m. (ET) and that the hearing on the Motion be scheduled for May 5, 2025 at 11:30 am at the same time as the Bid Procedures Hearing..

5. Pursuant to Fed. R. Bankr. P. 9006(c)(1), 9007, and 2002(m) and Del. Bankr. L.R. 9006-1(e), the Court may shorten the notice period for the hearing on the Motion and grant expedited consideration thereof, “by order of the Court, on written motion (served on all interested parties) specifying the exigencies justifying shorted notice.” Del. Bankr. L.R. 9006-1(e).

6. Undersigned counsel has communicated with counsel to the Debtors, Bedrock, United States Trustee, and the Official Committee of Unsecured Creditors (the “Committee”) regarding this Motion to Shorten. The United States Trustee has advised that it takes no position on this Motion to Shorten. The undersigned counsel is awaiting a response from the Debtors, Bedrock, and the Committee to their position.

7. Pursuant to Del. Bankr. L.R. 9006-1(e), no hearing on this Motion to Shorten is required.

8. In light of the above facts and circumstances, the HHC Parties respectfully request that the Court enter an order shortening notice such that a hearing on the relief requested in the Motion will be scheduled for the Bid Procedures Hearing and that any objections to the Motion may be made, in writing, by 4:00 p.m. (ET) on May 2, 2025.

9. Notice of this Motion to Shorten and the proposed Order attached hereto will be served upon: (i) counsel for the Debtors; (ii) counsel for Bedrock; (iii) the United States Trustee; (iv) counsel for the Committee; and (v) those parties who have formally filed requests for notice in these chapter 11 cases pursuant to Bankruptcy Rule 2002. In light of the relief requested, the HHC Parties submit that no further notice is required.

WHEREFORE, the HHC Parties respectfully request that the Court enter the Proposed Order, substantially in the form attached hereto as **Exhibit A**, and grant such other and further relief as the Court deems just and proper.

Dated: April 29, 2025  
Wilmington, Delaware

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